

REMARKS

This Amendment is in response to the Office Action dated June 7, 2007. In the Office Action, claims 1-22 were rejected. With this Amendment, claims 2 and 19 are amended and claims 1, 3-10 and 22 are canceled. It is respectfully submitted that all pending claims 2, 11-17 and 19-21 are in condition for allowance.

Claims 1-22 were rejected under various obviousness type rejections. To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art references when combined must teach or suggest all of the claim limitations. In re Vaeck, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991); M.P.E.P. §2143.

The initial burden is on the examiner to provide some suggestion of the desirability of doing what the inventor has done. "To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references." *Ex parte Clapp*, 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985).

Claims 1 and 18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA), in view of Polizzano (US 4,057,313). The APA referred to is related to the prior art Figure 1 discussed in the specification of the application. Claims 1 and 18 have been canceled. Therefore, this rejection should be withdrawn.

Claims 2 and 19-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over APA in view of Polizzano, and further in view of Johnson (4,969,834) and in view of Moenkhaus et. al. (US 6,500,025). Both claim 2 and 19 have been amended to be independent claims. It is respectfully submitted that claims 2 and 19-20 are in condition for allowance as including features not taught or suggested by the cited references.

The Examiner states that "neither APA nor Polizzano discloses the apparatus including a first electrical plug electrically coupled to the clamp through first and second wire connectors of

the clamp and a second electrical plug electrically coupled to the first and the second electrical conductors of the cable, the first and second plugs configured to removably electrically couple together.” Instead, the Examiner illustrates FIG. 7 of Johnson as showing the requisite structure as well as reference to Moenkhaus et al. as disclosing a plug can be used as a cable connection means.

However, it is respectfully submitted that none of the cited references, in particular the Johnson or Moenkhaus et al. references, teach “a first electrical plug electrically coupled to the clamp through first and second wire connectors of the clamp and a second electrical plug coupled to the first and second electrical conductors of the cable.” As illustrated in FIG. 8 of Johnson, Johnson fails to teach or suggest the cable configuration claimed in claim 2, 19 or 20. In particular, FIG. 8 of Johnson shows connecting means (20) and connecting means (83) coupling charging transfer cables (21) and (24) to charging transfer cables (81) and (83). Charging transfer cable (21) is coupled to attaching means (23) and charging transfer cable (23) is coupled to attaching means (26). Johnson fails to show electrical plugs coupled to a clamp through two electrical conductors that provide Kelvin connection capability at the jaw of the clamp, the two electrical conductors being of a cable that also includes a main electrical charging conductor.

It is respectfully submitted that independent claims 2 and 19 are in condition for allowance. In addition, claim 20 is also in condition for allowance at least based on its relation to allowable claim 19.

Claims 3, 7-8 and 22 were rejected under 35 U.S.C. 103(a) as being unpatentable over APA in view of Polizzano, and further in view of Kowalski et al. (US 5,772,468). Claims 3, 7-8 and 22 have been canceled. Therefore, this rejection should be withdrawn.

Claim 9 was rejected under 35 U.S.C. 103(a) as being unpatentable over APA in view of Polizzano as applied to Claim 1, and further in view of Yoshikawa et. al. (US 4,983,086). Claim 9 has been canceled. Therefore, this rejection should be withdrawn.

Claim 10 was rejected under 35 U.S.C. 103(a) as being unpatentable APA in view of Polizzano as applied to Claim 1 above, and further in view of Hatrock (US 4,983,086). Claim 10 has been canceled. Therefore, this rejection should be withdrawn.

Claim 21 was rejected under 35 U.S.C. 103(a) as being unpatentable over APA in view of Potizzano, and Johnson as applied to Claim 19, and further in view of Vonderhaar et al. (US 6,469,511). It is respectfully submitted that claim 21 is in condition for allowance at least based on its relation to allowable claim 19. However, it is respectfully submitted that claim 21 is allowable over the cited references for additional reasons. Besides none of the cited references including a cable configuration as claimed, none of the cited references provide a sensor lead and a portion of the cable providing Kelvin connection.

Claims 11-14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Cheng et. al. (US 6,796,841) in view of Polizzano, alternatively further in view of Morse et. al. (US 5,820,407). It is respectfully submitted that claims 11-14 are in condition for allowance as including features not taught or suggested by the cited references.

The Examiner states that “it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify Cheng’s clamp and position all the components with in the handle as taught by Morse et. al. in order to protect the connection from diverse weather.” It is respectfully pointed out that Morse et al. includes a half-wave rectifier (36) in the handle of a clamp. A rectifier (36) is not a electrical plug coupled together and housed in a hand grip as claimed. Furthermore, none of the cited references show removing a clamp by both removing the removable fastener that is structurally claimed in detail in claim 11 as well as unplugging electrical plugs that are structurally claimed in detail in claim 11.

It is respectfully submitted that claim 11 is in condition for allowance. In addition, claims 12-14 are also in condition for allowance at least based on their relation to allowable claim 11.

Claims 15-16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Cheng et. al. in view of Polizzano, in view of Morse et. al., and further in view of Vonderhaar et al. It is respectfully submitted that claims 15 and 16 are in condition for allowance at least based on their relation to allowable claim 11. However, it is respectfully submitted that claims 15 and 16 are allowable over the cited references for additional reasons. None of the cited references include a cable configuration with removable fasteners and electrical plugs that has a sensor lead or isolated electrical contacts that provide a Kelvin connection.

Claim 17 was rejected under 35 U.S.C. 103(a) as being unpatentable over. Cheng et. al. in view of Polizzano, in view of Morse et. al. and further in view of Hatrock. It is respectfully submitted that claim 17 is in condition for allowance at least based on its relation to allowable claim 11.

It is respectfully submitted that claims 2, 11-17 and 19-21 are in condition for allowance. Favorable action is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: /Leanne R. Taveggia/
Leanne R. Taveggia, Reg. No. 53,675
900 Second Avenue South, Suite 1400
Minneapolis, Minnesota 55402-3244
Phone: (612) 334-3222
Fax: (612) 334-3312

LRT/jmt